

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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GEORGE PACKARD, et al.,

Plaintiffs,

- against -

THE CITY OF NEW YORK,

Defendant.

USDC SDNY
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15CV7130(AT)(RLE)

UNSEALING ORDER

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WHEREAS, plaintiffs have sought documents pertaining to the investigation, arrest and prosecution of potential class members in connection with the purported events alleged in the complaint filed in the above captioned litigation; and

WHEREAS, the Court has determined that the records described below may be relevant to the claims or defenses in this case; and

WHEREAS, upon information and belief, criminal charges against the potential class members may have been dismissed and sealed pursuant to N.Y.C.P.L. §160.50 and/or §160.55, and documents relating to the arrest and prosecution of the potential class members cannot be obtained or produced without an unsealing order.

IT IS HEREBY ORDERED that the New York City Police Department, as well as the Criminal Court of the State of New York, and the New York County District Attorney's Office, shall not be bound by the statutory sealing requirements of CPL § 160.50 for all documents relating to and arising out of the arrest and prosecution of

potential class members who were arrested in or around downtown Manhattan on September 15, 16, 17, 2012.

IT IS FURTHER ORDERED that the use of the above-referenced records is restricted to use in the above-entitled civil rights action and shall be protected by the parties as confidential, except as needed for the prosecution or defense of the instant action. Additionally, the contact information of the non-parties (this does not include the names, or the underlying information concerning the investigations, arrests, and prosecutions, which may be shared with the parties) contained in these records shall be kept confidential, for “attorneys’ eyes only,” and shall only be used by the attorney and his or her law firm and/or agents for the purpose of communicating with absent class members, witnesses or the service of subpoenas, and shall not be disclosed to the parties, or any other person, and such information shall not be included in documents publicly filed with the Court, absent a 160.50 waiver being signed by the individual. If the underlying information concerning the investigations, arrests, and prosecutions that are contained in these records are filed publicly, the names of the individuals involved, other than the parties, shall either be redacted or replaced with a pseudonym (e.g., Class Member 1, Class Member 2, etc.) or be identified by their initials, to protect their privacy interests.

Dated: New York, New York
September 25, 2017

SO ORDERED

A handwritten signature in blue ink, appearing to read "Ronald L. Ellis", written over a horizontal line.

Hon. Ronald L. Ellis

United States Magistrate Judge